

**To:** Catherine M.C. Farrelly([pto@fkks.com](mailto:pto@fkks.com))  
**Subject:** U.S. Trademark Application Serial No. 97379480 - AAA24 - 021410.0700  
**Sent:** April 06, 2023 09:30:20 PM EDT  
**Sent As:** [tmng.notices@uspto.gov](mailto:tmng.notices@uspto.gov)

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**Attachments**

[0829265](#)  
[2158654](#)  
[2456403](#)  
[2846491](#)  
[2855273](#)  
[2900596](#)  
[2910933](#)  
[3110510](#)  
[4351635](#)  
[4646626](#)  
[4646738](#)  
[5036379](#)  
[5838139](#)

**United States Patent and Trademark Office (USPTO)**  
**Office Action (Official Letter) About Applicant's Trademark Application**

**U.S. Application Serial No.** 97379480

**Mark:** AAA24

**Correspondence Address:**

CATHERINE M.C. FARRELLY  
FRANKFURT KURNIT KLEIN & SELZ  
28 LIBERTY STREET  
NEW YORK NY 10005 UNITED STATES

**Applicant:** A24 Films LLC

**Reference/Docket No.** 021410.0700

**Correspondence Email Address:** [pto@fkks.com](mailto:pto@fkks.com)

**NONFINAL OFFICE ACTION**

**Response deadline.** File a response to this nonfinal Office action within three months of the “Issue date” below to avoid [abandonment](#) of the application. Review the Office action and respond using one of the links to the appropriate electronic forms in the “How to respond” section below.

**Request an extension.** For a fee, applicant may [request one three-month extension](#) of the response deadline prior to filing a response. The request must be filed within three months of the “Issue date” below. If the extension request is granted, the USPTO must receive applicant’s response to this letter within six months of the “Issue date” to avoid abandonment of the application.

**Issue date:** April 6, 2023

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

**SECTION 2(d) REFUSAL – LIKELIHOOD OF CONFUSION**

Registration of the applied-for mark is refused because of a likelihood of confusion with the marks in U.S. Registration Nos. 2900596, 2158654, 3316227, 5036379 and . Trademark Act Section 2(d), 15 U.S.C. §1052(d); see TMEP §§1207.01 et seq. See the attached registrations. The registered marks have a common owner and will be treated in-kind.

The applicant seeks registration of the mark “AAA24 for "providing membership club services for early or exclusive access to discount products, receipt of exclusive newsletters, access to special live entertainment events, exclusive social media access, birthday gifts, zines and direct to customer products."

The registered marks are as follows:

U.S. Registration No. 0829265 for the mark "AAA" for, in pertinent part, "arranging for discount purchases."

U.S. Registration No. 2158654 for the mark "AAA" with a design for, in pertinent part, "magazines, pamphlets, booklets, and directories in the fields of travel information, traffic safety, vehicle information and repair, and driver instruction; maps, groups of strip and other maps, and printed booklets and pamphlets featuring touring and route information; arranging for discount purchases."

U.S. Registration No.  
2456403

for the mark "AAA. EVERY DAY." for "arranging for discount purchases for members of an automotive club."

U.S. Registration No. 2846491 for the mark "AAA. USE IT FOR ALL IT'S WORTH" for, in pertinent part, "Administration of a discount program for enabling participants to obtain discounts on goods and services through use of a discount membership card."

U.S. Registration No. 2855273 for the mark "AAA MEMBER FARES" with "MEMBER FARES" disclaimed for "Arranging and booking discount airline transportation for others."

U.S. Registration No. 2900596 for the mark "AAA PREMIER" for, in pertinent part, "administration of a discount program for enabling participants to obtain discounts on goods and services through use of a discount membership card."

U.S. Registration No.

2910933

for the mark "AAA PRESCRIPTION SAVINGS" with "PRESCRIPTION SAVINGS" disclaimed for "automobile club services, namely, arranging for discounted purchase of prescription drugs."

U.S. Registration No. 3110510 for the mark "AAA SHOW YOUR CARD & SAVE" with a design for "arranging discounts for members of an automobile club from vendors of automotive services, hotel chains, tourist attractions, restaurants, and retail outlets."

U.S. Registration No. 4351635 for the mark "AAA PETSPOT" for "Administration of a discount program for enabling participants to obtain discounts on pet related goods and services through use of a discount membership card."

U.S. Registration No. 4646626 for the mark "AAA DISCOUNTS & REWARDS" with "DISCOUNTS & REWARDS" disclaimed for "Administration of a discount program for enabling participants to obtain discounts on goods and services through use of a discount membership card; Promoting the goods and services of others by means of an incentive reward program."

U.S. Registration No.

4646738

for the mark "AAA AAA DISCOUNTS REWARDS" with a design and "DISCOUNTS REWARDS" disclaimed for "administering discount group purchasing programs, namely, negotiating contracts with providers of automotive services, hotel accommodations, tourist attractions, restaurant services, and retail services to enable participant members of an automobile association to obtain discount purchases; providing incentive awards programs for members of an automobile association through issuance and processing of loyalty points for purchase of goods and services."

U.S. Registration No. 5036379 for the mark "AAA" with a design for, in pertinent part, "administration of a discount program for enabling participants to obtain discounts on goods and services through use of a discount membership card; Promoting public awareness of the need for traffic and pedestrian safety by means of sponsoring school safety patrols and conducting traffic and pedestrian safety campaigns; promoting the interests of automobile travelers by advocating legislation favorable to safe and economical motor vehicle travel, operation, and maintenance; automobile club services, namely, price comparison rating of the tourist accommodations of others."

U.S. Registration No. 5838139 for the mark "EXPLORE YOUR AAA" for "printed publications, namely pamphlets, brochures, newsletters, journals and magazines in the fields of automotive, safety and advocacy, travel, insurance, membership benefits and discounts, and financial services."

Trademark Act Section 2(d) bars registration of an applied-for mark that so resembles a registered mark that it is likely a potential consumer would be confused, mistaken, or deceived as to the source of the goods and services of the applicant and registrant. See 15 U.S.C. §1052(d). A determination of likelihood of confusion under Section 2(d) is made on a case-by case basis and the factors set forth in

In re E. I. du Pont de Nemours & Co., 476 F.2d 1357, 177 USPQ 563 (C.C.P.A. 1973) aid in this determination. Citigroup Inc. v. Capital City Bank Grp., Inc., 637 F.3d 1344, 1349, 98 USPQ2d 1253, 1256 (Fed. Cir. 2011) (citing On-Line Careline, Inc. v. Am. Online, Inc., 229 F.3d 1080, 1085, 56 USPQ2d 1471, 1474 (Fed. Cir. 2000)). Not all the du Pont factors, however, are necessarily relevant or of equal weight, and any one of the factors may control in a given case, depending upon the evidence of record. Citigroup Inc. v. Capital City Bank Grp., Inc., 637 F.3d at 1355, 98 USPQ2d at 1260; In re Majestic Distilling Co., 315 F.3d 1311, 1315, 65 USPQ2d 1201, 1204 (Fed. Cir. 2003); see In re E. I. du Pont de Nemours & Co., 476 F.2d at 1361-62, 177 USPQ at 567.

In this case, the following factors are the most relevant: similarity of the marks, similarity and nature of the goods and services, and similarity of the trade channels of the goods and services. See In re Viterra Inc., 671 F.3d 1358, 1361-62, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012); In re Dakin's Miniatures Inc., 59 USPQ2d 1593, 1595-96 (TTAB 1999); TMEP §§1207.01 et seq.

### **Similarity of the Marks**

Marks are compared in their entireties for similarities in appearance, sound, connotation, and commercial impression. Stone Lion Capital Partners, LP v. Lion Capital LLP, 746 F.3d 1317, 1321, 110 USPQ2d 1157, 1160 (Fed. Cir. 2014) (quoting Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee En 1772, 396 F.3d 1369, 1371, 73 USPQ2d 1689, 1691 (Fed. Cir. 2005)); TMEP §1207.01(b)-(b)(v). "Similarity in any one of these elements may be sufficient to find the marks confusingly similar." In re Inn at St. John's, LLC, 126 USPQ2d 1742, 1746 (TTAB 2018) (citing In re Davia, 110 USPQ2d 1810, 1812 (TTAB 2014)); TMEP §1207.01(b).

The dominant portion of the marks are the letters "AAA". The applicant's use of the numeral "24" at the end of his mark is less dominant. Consumers are generally more inclined to focus on the first word, prefix, or syllable in any trademark or service mark. See *Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee En 1772*, 396 F.3d 1369, 1372, 73 USPQ2d 1689, 1692 (Fed. Cir. 2005) (finding similarity between VEUVE ROYALE and two VEUVE CLICQUOT marks in part because "VEUVE . . . remains a 'prominent feature' as the first word in the mark and the first word to appear on the label"); *Century 21 Real Estate Corp. v. Century Life of Am.*, 970 F.2d 874, 876, 23 USPQ2d 1698, 1700 (Fed. Cir. 1992) (finding similarity between CENTURY 21 and CENTURY LIFE OF AMERICA in part because "consumers must first notice th[e] identical lead word"); see also *In re Detroit Athletic Co.*, 903 F.3d 1297, 1303, 128 USPQ2d 1047, 1049 (Fed. Cir. 2018) (finding "the identity of the marks' two initial words is particularly significant because consumers typically notice those words first").

The use of the disclaimed wording "PRESCRIPTION SAVINGS" in U.S. Registration No. 2910933, "MEMBER FARES" in U.S. Registration No. 2855273, "DISCOUNTS & REWARDS" in U.S. Registration No. 4646626, and "DISCOUNTS REWARDS" in U.S. Registration No. 4646738 does not obviate the similarities of the marks. Moreover, the use of designs by the registrant does not diminish the fact that the marks are identical in part.

When evaluating a composite mark consisting of words and a design, the word portion is normally accorded greater weight because it is likely to make a greater impression upon purchasers, be remembered by them, and be used by them to refer to or request the goods and/or services. *In re Viterra Inc.*, 671 F.3d 1358, 1362, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012) (quoting *CBS Inc. v. Morrow*, 708 F.2d 1579, 1581-82, 218 USPQ 198, 200 (Fed. Cir. 1983)); *Made in Nature, LLC v. Pharmavite LLC*, 2022 USPQ2d 557, at \*41 (TTAB 2022) (quoting *Sabhnani v. Mirage Brands, LLC*, 2021 USPQ2d 1241, at \*31 (TTAB 2021)); TMEP §1207.01(c)(ii). Thus, although marks must be

compared in their entireties, the word portion is often considered the dominant feature and is accorded greater weight in determining whether marks are confusingly similar, even where the word portion has been disclaimed. *In re Vitterra Inc.*, 671 F.3d at 1366-67, 101 USPQ2d at 1911 (citing *Giant Food, Inc. v. Nation's Foodservice, Inc.*, 710 F.2d 1565, 1570-71, 218 USPQ2d 390, 395 (Fed. Cir. 1983)).

The question is not whether people will confuse the marks, but whether the marks will confuse people into believing that the goods and services they identify come from the same source. *In re West Point-Pepperell, Inc.*, 468 F.2d 200, 201, 175 USPQ 558, 558-59 (C.C.P.A. 1972); TMEP §1207.01(b). For that reason, the test of likelihood of confusion is not whether the marks can be distinguished when subjected to a side-by-side comparison. The question is whether the marks create the same overall impression. See *Recot, Inc. v. M.C. Becton*, 214 F.2d 1322, 1329-30, 54 USPQ2d 1894, 1899 (Fed. Cir. 2000); *Visual Info. Inst., Inc. v. Vicon Indus. Inc.*, 209 USPQ 179, 189 (TTAB 1980). The focus is on the recollection of the average purchaser who normally retains a general rather than specific impression of trademarks. *Chemetron Corp. v. Morris Coupling & Clamp Co.*, 203 USPQ 537, 540-41 (TTAB 1979); *Sealed Air Corp. v. Scott Paper Co.*, 190 USPQ 106, 108 (TTAB 1975); TMEP §1207.01(b).

Because the marks include the identical and arbitrary letters "AAA" they sound highly similar and create a highly similar commercial impression. Similarity in sound alone may be sufficient to support a finding that the marks are confusingly similar. Therefore, purchasers are likely to believe that applicant's and registrant's services may emanate from the same party *In re White Swan Ltd.*, 8 USPQ2d 1534, 1535 (TTAB 1988); see *In re 1st USA Realty Prof'ls, Inc.*, 84 USPQ2d 1581, 1586 (TTAB 2007); TMEP §1207.01(b)(iv). Thus, the marks are confusingly similar. Potential purchasers of applicant's goods or services may mistakenly believe that applicant's mark is merely an extension of the "AAA" house mark.

### **Comparison of Goods/Services**

When analyzing an applicant's and registrant's goods and services for similarity and relatedness, that determination is based on the description of the goods and services in the application and registration at issue, not on extrinsic evidence of actual use. See *Stone Lion Capital Partners, LP v. Lion Capital LLP*, 746 F.3d 1317, 1323, 110 USPQ2d 1157, 1162 (Fed. Cir. 2014) (quoting *Octocom Sys. Inc. v. Hous. Computers Servs. Inc.*, 918 F.2d 937, 942, 16 USPQ2d 1783, 1787 (Fed. Cir. 1990)). Determining likelihood of confusion is based on the description of the goods and/or services stated in the application and registration at issue, not on extrinsic evidence of actual use. See *In re Detroit Athletic Co.*, 903 F.3d 1297, 1307, 128 USPQ2d 1047, 1052 (Fed. Cir. 2018) (citing *In re i.am.symbolic, llc*, 866 F.3d 1315, 1325, 123 USPQ2d 1744, 1749 (Fed. Cir. 2017)).

The applicant offers "membership club services for early or exclusive access to discount products." The registrant offers "membership club" services which offer "discounts" to members for various goods or services. The purpose of the services of the parties appears to be highly related. The services may travel the same trade channels and may be offered to the same potential purchasers, thereby causing a likelihood of confusion in the marketplace.

The overriding concern is not only to prevent buyer confusion as to the source of the goods or services but to protect the registrant from adverse commercial impact due to use of a similar mark by a newcomer. See *In re Shell Oil Co.*, 992 F.2d 1204, 1208, 26 USPQ2d 1687, 1690 (Fed. Cir. 1993). The examining attorney must resolve any doubt as to the issue of likelihood of confusion in favor of the registrant and against the applicant who has a legal duty to select a mark which is totally dissimilar to trademarks already being used. *Burroughs Wellcome Co. v. Warner Lambert Co.*, 203 USPQ 191

(TTAB 1979).

The marks are highly similar and the goods and services are related. Therefore, purchasers are likely to be confused as to the source of the applicant's goods and services. Accordingly, registration is refused pursuant to Section 2(d) of the Trademark Act. 15 U.S.C. §1052(d); see TMEP §§1207.01 et seq.

Although applicant's mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration.

The applicants also advised as follows:

### **IDENTIFICATION**

The identification is indefinite and must be clarified because the nature of the services is unclear and appears to include goods, i.e., "exclusive newsletters," "birthday gifts, zines and direct to customer products," which fall outside the enumerated class. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01, 1402.03. In particular, this wording could encompass "downloadable newsletters" in Class 9, "printed newsletters" in Class 16, "membership club services" in Class 35 and "online, non-downloadable newsletters" in Class 41. The applicant must clarify the nature of the goods or services and classify them accordingly.

Applicant may adopt the following identification, if accurate:

“Downloadable electronic publications available to club members, namely, newsletters in the field of (indicate field or subject matter)” in Class 9; and

“Electronic publications available to club members, namely, e-zines featuring (indicate subject matter) recorded on computer media” in Class 9; and

“Providing printed newsletters available to club members in the field of (indicate subject matter)” in Class 16; and

“Administration of a program for enabling club member participants to obtain discounts on consumer products and services including birthday gifts” in Class 35; and

“Membership club services in the nature of providing discounts to members in the field of consumer products” in Class 35; and

“Providing membership club services in the nature of providing discounts to members in the field of live entertainment events and live social media events” in Class 35; and

“Procurement, namely, purchasing tickets to live entertainment events and live social media events for others to be offered to club members at a discount” in Class 35; and

“Retail services offering discounted products through direct solicitation by distributors directed to end-users who are club members featuring (indicate specific field or goods)” in Class 35.

“Providing on-line, non-downloadable newsletters available to club members in the field of (indicate subject matter of publication)” in Class 41; and



“Providing on-line, non-downloadable e-zines available to club members in the field of (indicate subject matter of publication)” in Class 41.

Applicant may amend the identification to clarify or limit the goods and/or services, but not to broaden or expand the goods and/or services beyond those in the original application or as acceptably amended. *See* 37 C.F.R. §2.71(a); TMEP §1402.06. Generally, any deleted goods and/or services may not later be reinserted. *See* TMEP §1402.07(e).

For assistance with identifying and classifying goods and services in trademark applications, please see the USPTO’s online searchable [U.S. Acceptable Identification of Goods and Services Manual](#). *See* TMEP §1402.04.

### **CLASSIFICATION**

If applicant adopts the suggested amendment of the identification of goods and/or services, then applicant must amend the classification to International Classes 9, 16, 35 and/or 41. *See* 37 C.F.R. §§2.32(a)(7), 2.85; TMEP §§805, 1401.

### **ADDITIONAL CLASSES**

The application identifies goods and/or services in more than one international class; therefore, applicant must satisfy all the requirements below for each international class based on Trademark Act Section 1(b):

- (1) **List the goods and/or services by their international class number** in consecutive numerical order, starting with the lowest numbered class.
- (2) **Submit a filing fee for each international class** not covered by the fee(s) already paid (view the [USPTO’s current fee schedule](#)). The application identifies goods and/or services that are classified in at least four classes; however, applicant submitted a fee sufficient for only one class. Applicant must either submit the filing fees for the classes not covered by the submitted fees or restrict the application to the number of classes covered by the fees already paid.

*See* 37 C.F.R. §2.86(a); TMEP §§1403.01, 1403.02(c).

For an overview of the requirements for a Section 1(b) multiple-class application and how to satisfy the requirements online using the Trademark Electronic Application System (TEAS) form, see the [Multiple-class Application webpage](#).

### **RESPONSE GUIDELINES**

Please call or email the assigned trademark examining attorney with questions about this Office action. Although an examining attorney cannot provide legal advice, the examining attorney can provide additional explanation about the refusal(s) and/or requirement(s) in this Office action. *See* TMEP §§705.02, 709.06.

The USPTO does not accept emails as responses to Office actions; however, emails can be used for informal communications and are included in the application record. *See* 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05.

**How to respond.** File a [response form to this nonfinal Office action](#) or file a [request form for an extension of time to file a response](#).

/Paula Mahoney/  
Paula Mahoney  
Trademark Examining Attorney  
Law Office 119  
(571) 272-9191  
Paula.Mahoney@USPTO.GOV

## RESPONSE GUIDANCE

- **Missing the deadline for responding to this letter will cause the application to abandon.** A response or extension request must be received by the USPTO before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Trademark Electronic Application System (TEAS) system availability could affect an applicant's ability to timely respond. For help resolving technical issues with TEAS, email [TEAS@uspto.gov](mailto:TEAS@uspto.gov).
- **Responses signed by an unauthorized party** are not accepted and can **cause the application to abandon**. If applicant does not have an attorney, the response must be signed by the individual applicant, all joint applicants, or someone with legal authority to bind a juristic applicant. If applicant has an attorney, the response must be signed by the attorney.
- If needed, **find contact information for the supervisor** of the office or unit listed in the signature block.



**Print: Fri Mar 03 2023**

**72230991**

**(1) TYPED DRAWING**

**AAA**

**Mark Punctuated**

AAA

**Translation**

**Goods/Services**

- IC 042. US 100.G & S: AUTOMOBILE ASSOCIATION SERVICES RENDERED TO MOTOR VEHICLE OWNERS, MOTORISTS, AND TRAVELERS GENERALLY-NAMELY, OBTAINING MOTOR VEHICLE LICENSE PLATES AND TITLE CERTIFICATES; SPONSORING SCHOOL SAFETY PATROLS; ADVOCATING LEGISLATION FAVORABLE TO SAFE AND ECONOMICAL MOTOR VEHICLE TRAVEL, OPERATION, AND MAINTENANCE; CONDUCTING MOTOR VEHICLE TESTS AND MAKING TESTS OF AUTOMOTIVE AND RELATED PRODUCTS; AND RATING TOURIST ACCOMMODATIONS. FIRST USE: 19030000. FIRST USE IN COMMERCE: 19030000
- IC 035. US 101.G & S: ARRANGING FOR DISCOUNT PURCHASES, COLLECTING DAMAGE CLAIMS; OFFERING REWARDS FOR INFORMATION LEADING TO ARREST AND CONVICTION OF PERSONS STEALING MEMBERS' AUTOMOBILES; AND PLACING INSURANCE WITH UNDERWRITERS. FIRST USE: 19160000. FIRST USE IN COMMERCE: 19160000
- IC 036. US 102.G & S: PROVIDING BAIL BOND. FIRST USE: 19160000. FIRST USE IN COMMERCE: 19160000
- IC 037. US 103.G & S: PROVIDING EMERGENCY ROAD SERVICE. FIRST USE: 19160000. FIRST USE IN COMMERCE: 19160000
- IC 039. US 105.G & S: DISSEMINATING TRAVEL INFORMATION AND MAKING TRAVEL ARRANGEMENTS. FIRST USE: 19020000. FIRST USE IN COMMERCE: 19020000
- IC 041. US 107.G & S: TEACHING MOTOR VEHICLE OPERATION; CONDUCTING TRAFFIC AND PEDESTRIAN SAFETY CAMPAIGNS, AND GIVING TRAFFIC SAFETY LESSONS. FIRST USE: 19240000. FIRST USE IN COMMERCE: 19240000

**Mark Drawing Code**

(1) TYPED DRAWING

**Design Code**

**Serial Number**

72230991

**Filing Date**

19651022

**Current Filing Basis**

1A

**Original Filing Basis**

1A

**Publication for Opposition Date**

19670307

**Registration Number**

0829265

**Date Registered**

19670523

**Owner**

(REGISTRANT) AMERICAN AUTOMOBILE ASSOCIATION, INC. CORPORATION CONNECTICUT  
1000 AAA DRIVE HEATHROW FLORIDA 32746

**Priority Date**

**Disclaimer Statement**

**Description of Mark**

**Type of Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Live Dead Indicator**

LIVE

**Attorney of Record**

LAWRENCE E. LAUBSCHER, JR.

Print: Fri Mar 03 2023

75263675

**(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS**



**Mark Punctuated**

AAA

**Translation**

**Goods/Services**

- IC 016. US 002 005 022 023 029 037 038 050.G & S: magazines, pamphlets, booklets, and directories in the fields of travel information, traffic safety, vehicle information and repair, and driver instruction; maps, groups of strip and other maps, and printed booklets and pamphlets featuring touring and route information. FIRST USE: 19970301. FIRST USE IN COMMERCE: 19970301
- IC 035. US 100 101 102.G & S: arranging for discount purchases. FIRST USE: 19970301. FIRST USE IN COMMERCE: 19970301
- IC 036. US 100 101 102.G & S: adjusting and collecting insurance damage claims; insurance brokerage services, namely, obtaining insurance, placing insurance with underwriters; financial services, namely, issuing, paying, and collecting traveler's checks; banking services, namely, time deposits; investment advice counseling services; credit card and auto loan services; reimbursement for legal services. FIRST USE: 19970301. FIRST USE IN COMMERCE: 19970301
- IC 037. US 100 103 106.G & S: emergency road services. FIRST USE: 19970301. FIRST USE IN COMMERCE: 19970301
- IC 039. US 100 105.G & S: travel agency services, namely, making reservations and booking for transportation. FIRST USE: 19970301. FIRST USE IN COMMERCE: 19970301
- IC 042. US 100 101.G & S: automobile club services, namely, rating tourist accommodations; promoting public awareness of the need for traffic and pedestrian safety by means of sponsoring school safety patrols and conducting traffic and pedestrian safety campaigns; promoting the interests of automobile travelers by advocating legislation favorable to safe and economical motor vehicle travel, operation, and maintenance; consumer product safety testing and consultation, namely, conducting motor vehicle tests and endurance tests, and making tests of automotive and related products; travel arranging services, namely, making reservations and booking for lodging. FIRST USE: 19970301. FIRST USE IN COMMERCE: 19970301

**Mark Drawing Code**

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Code**

260303 260321

**Serial Number**

75263675

**Filing Date**

19970325

**Current Filing Basis**

1A

**Original Filing Basis**

1A

**Publication for Opposition Date**

19980224

**Registration Number**

2158654

**Date Registered**

19980519

**Owner**

(REGISTRANT) American Automobile Association, Inc. CORPORATION CONNECTICUT 1000 AAA Drive  
Heathrow FLORIDA 327465063

**Priority Date**

**Disclaimer Statement**

**Description of Mark**

**Type of Mark**

TRADEMARK. SERVICE MARK

**Register**

PRINCIPAL

**Live Dead Indicator**

LIVE

**Attorney of Record**

LAWRENCE E LAUBSCHER, JR.

**Print: Fri Mar 03 2023**

**75848477**

**(1) TYPED DRAWING**

**AAA. EVERY DAY.**

**Mark Punctuated**

AAA. EVERY DAY.

**Translation**

**Goods/Services**

- IC 035. US 100 101 102.G & S: arranging for discount purchases for members of an automotive club.  
FIRST USE: 20000610. FIRST USE IN COMMERCE: 20000620

**Mark Drawing Code**

(1) TYPED DRAWING

**Design Code**

**Serial Number**

75848477

**Filing Date**

19991115

**Current Filing Basis**

1A

**Original Filing Basis**

1B

**Publication for Opposition Date**

20000627

**Registration Number**

2456403

**Date Registered**

20010529

**Owner**

(REGISTRANT) American Automobile Association, Inc. CORPORATION CONNECTICUT 1000 AAA Drive  
Heathrow FLORIDA 32746

**Priority Date**

**Disclaimer Statement**

**Description of Mark**

**Type of Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Live Dead Indicator**

LIVE

**Attorney of Record**

Lawrence E. Laubscher, Jr.

Print: Fri Mar 03 2023

78134092

(1) TYPED DRAWING

# AAA. USE IT FOR ALL IT'S WORTH

## Mark Punctuated

AAA. USE IT FOR ALL IT'S WORTH

## Translation

## Goods/Services

- IC 035. US 100 101 102.G & S: Administration of a discount program for enabling participants to obtain discounts on goods and services through use of a discount membership card; automobile club services in the nature of providing state vehicular registration and title transfer, rating tourist accommodations, and providing political action committee services, namely, advocating legislation favorable to safe and economical motor vehicle travel, operation, and maintenance. FIRST USE: 20020601. FIRST USE IN COMMERCE: 20020601
- IC 036. US 100 101 102.G & S: Adjusting and collecting insurance damage claims; insurance brokerage services; financial services, namely, issuing, paying, and collecting traveler's checks; banking services, namely, time deposits; investment advice counseling services; credit card and auto loan services; and administration of legal fee reimbursement programs. FIRST USE: 20020601. FIRST USE IN COMMERCE: 20020601
- IC 037. US 100 103 106.G & S: Emergency road services; home repair and remodeling services. FIRST USE: 20020601. FIRST USE IN COMMERCE: 20020602
- IC 039. US 100 105.G & S: Travel agency services, namely, making reservations and bookings for transportation. FIRST USE: 20020601. FIRST USE IN COMMERCE: 20020601
- IC 041. US 100 101 107.G & S: Educational services, namely, sponsoring school safety patrols and providing vehicle driver training services. FIRST USE: 20020601. FIRST USE IN COMMERCE: 20020601
- IC 043. US 100 101.G & S: Travel arranging services, namely, making reservations and bookings for lodging. FIRST USE: 20020601. FIRST USE IN COMMERCE: 20020601

## Mark Drawing Code

(1) TYPED DRAWING

## Design Code

## Serial Number

78134092

## Filing Date

20020607

## Current Filing Basis

1A

## Original Filing Basis

1B

## Publication for Opposition Date

20030527



**Registration Number**

2846491

**Date Registered**

20040525

**Owner**

(REGISTRANT) AMERICAN AUTOMOBILE ASSOCIATION, INC. CORPORATION CONNECTICUT  
1000 AAA Drive Heathrow FLORIDA 32746

**Priority Date**

**Disclaimer Statement**

**Description of Mark**

**Type of Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Live Dead Indicator**

LIVE

**Attorney of Record**

Lawrence E. Laubscher, Jr.

**Print: Thu Apr 06 2023**

**78213198**

**(1) TYPED DRAWING**

# **AAA MEMBER FARES**

**Mark Punctuated**

AAA MEMBER FARES

**Translation**

**Goods/Services**

- IC 039. US 100 105.G & S: Arranging and booking discount airline transportation for others. FIRST USE: 19960400. FIRST USE IN COMMERCE: 19960400

**Mark Drawing Code**

(1) TYPED DRAWING

**Design Code**

**Serial Number**

78213198

**Filing Date**

20030211

**Current Filing Basis**

1A

**Original Filing Basis**

1B

**Publication for Opposition Date**

20031014

**Registration Number**

2855273

**Date Registered**

20040615

**Owner**

(REGISTRANT) American Automobile Association, Inc. CORPORATION CONNECTICUT 1000 AAA Drive Heathrow FLORIDA 32746

**Priority Date**

**Disclaimer Statement**

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MEMBER FARES" APART FROM THE MARK AS SHOWN

**Description of Mark**

**Type of Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Live Dead Indicator**

LIVE

**Attorney of Record**

Lawrence E. Laubscher, Jr.

Print: Fri Mar 03 2023

78128780

(1) TYPED DRAWING

# AAA PREMIER

## Mark Punctuated

AAA PREMIER

## Translation

## Goods/Services

- IC 035. US 100 101 102.G & S: providing referrals in connection with auto body repair services [ and home repair services and home building and home repair services] ; administration of a discount program for enabling participants to obtain discounts on goods and services through use of a discount membership card; providing information about vehicles for sale. FIRST USE: 20011101. FIRST USE IN COMMERCE: 20011101
- IC 036. US 100 101 102.G & S: reimbursement of rental car expenses; [ insurance underwriting in the field of auto, home, ] trip interruption, vehicle mechanical breakdown, and vehicle return insurance; vehicle brokerage services; [ providing extended vehicle warranties; life and ] travel accident insurance underwriting services; [ providing extended home warranties; ] providing information on vehicle pricing. FIRST USE: 20011101. FIRST USE IN COMMERCE: 20011101
- IC 037. US 100 103 106.G & S: emergency road side assistance services. FIRST USE: 20011101. FIRST USE IN COMMERCE: 20011101
- (CANCELLED) IC 038. US 100 101 104.G & S: [ telecommunications and telematics services, namely, providing wireless voice and data communication services for vehicle operators to obtain information concerning traffic, travel, emergency information, police assistance, and emergency rescue service ]. FIRST USE: 20011101. FIRST USE IN COMMERCE: 20011101
- IC 039. US 100 105.G & S: travel agency services, namely, making bookings and reservations for transportation; travel information services in the nature of route planning for others. FIRST USE: 20011101. FIRST USE IN COMMERCE: 20011101
- IC 042. US 100 101.G & S: notary public services; vehicle inspection services. FIRST USE: 20011101. FIRST USE IN COMMERCE: 20011101
- IC 043. US 100 101.G & S: travel agency services, namely making bookings and reservations for lodgings, restaurants, and meals. FIRST USE: 20011101. FIRST USE IN COMMERCE: 20011101
- IC 045. US 100 101.G & S: concierge services for others comprising making requested personal arrangements and reservations and providing customer-specific information to meet individual needs rendered together in a travel advice environment; home lockout services, namely, locksmithing in the nature of opening locks for others; fraud detection services in the field of credit card transactions. FIRST USE: 20011101. FIRST USE IN COMMERCE: 20011101

## Mark Drawing Code

(1) TYPED DRAWING

## Design Code

## Serial Number

78128780

## Filing Date

20020515

**Current Filing Basis**

1A

**Original Filing Basis**

1B

**Publication for Opposition Date**

20031209

**Registration Number**

2900596

**Date Registered**

20041102

**Owner**

(REGISTRANT) AMERICAN AUTOMOBILE ASSOCIATION, INC. CORPORATION CONNECTICUT  
1000 AAA Drive Heathrow FLORIDA 32746

**Priority Date**

**Disclaimer Statement**

**Description of Mark**

**Type of Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Live Dead Indicator**

LIVE

**Attorney of Record**

Lawrence E. Laubscher, Jr.

**Print: Fri Mar 03 2023**

**78325942**

**(4) STANDARD CHARACTER MARK**

AAA PRESCRIPTION  
SAVINGS

**Mark Punctuated**

AAA PRESCRIPTION SAVINGS

**Translation**

**Goods/Services**

- IC 035. US 100 101 102.G & S: Automobile club services, namely, arranging for discounted purchase of prescription drugs. FIRST USE: 20031031. FIRST USE IN COMMERCE: 20031031

**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Design Code**

**Serial Number**

78325942

**Filing Date**

20031111

**Current Filing Basis**

1A

**Original Filing Basis**

1A

**Publication for Opposition Date**

20040921

**Registration Number**

2910933

**Date Registered**

20041214

**Owner**

(REGISTRANT) American Automobile Association, Inc. CORPORATION CONNECTICUT 1000 AAA Drive  
Heathrow FLORIDA 32746

**Priority Date**

**Disclaimer Statement**

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE PRESCRIPTION SAVINGS APART FROM  
THE MARK AS SHOWN

**Description of Mark**

**Type of Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Live Dead Indicator**

LIVE

**Attorney of Record**

Lawrence E. Laubscher, Jr.



Print: Fri Mar 03 2023

78545539

**(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS**



**Mark Punctuated**

AAA SHOW YOUR CARD & SAVE

**Translation**

**Goods/Services**

- IC 035. US 100 101 102.G & S: arranging discounts for members of an automobile club from vendors of automotive services, hotel chains, tourist attractions, restaurants, and retail outlets. FIRST USE: 20050100. FIRST USE IN COMMERCE: 20050100

**Mark Drawing Code**

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Code**

260302 260303 261102

**Serial Number**

78545539

**Filing Date**

20050111

**Current Filing Basis**

1A

**Original Filing Basis**

1B

**Publication for Opposition Date**

20051108

**Registration Number**

3110510

**Date Registered**

20060627

**Owner**

(REGISTRANT) American Automobile Association, Inc. CORPORATION CONNECTICUT 1000 AAA Drive Heathrow FLORIDA 32746

**Priority Date**

**Disclaimer Statement**

**Description of Mark**

Color is not claimed as a feature of the mark.

**Type of Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Live Dead Indicator**

LIVE

**Attorney of Record**

Lawrence E. Laubscher, Jr.

**Print: Fri Mar 03 2023**

**85698434**

**(4) STANDARD CHARACTER MARK**

**AAA PETSPOT**

**Mark Punctuated**

AAA PETSPOT

**Translation**

**Goods/Services**

- IC 035. US 100 101 102.G & S: Administration of a discount program for enabling participants to obtain discounts on pet related goods and services through use of a discount membership card. FIRST USE: 20110414. FIRST USE IN COMMERCE: 20110414
- IC 039. US 100 105.G & S: Providing a website featuring information, news and commentary related to safely traveling with pets. FIRST USE: 20110414. FIRST USE IN COMMERCE: 20110414

**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Design Code**

**Serial Number**

85698434

**Filing Date**

20120808

**Current Filing Basis**

1A

**Original Filing Basis**

1B

**Publication for Opposition Date**

20130115

**Registration Number**

4351635

**Date Registered**

20130611

**Owner**

(REGISTRANT) American Automobile Association, Inc. CORPORATION CONNECTICUT 1000 AAA Drive Heathrow FLORIDA 32746

**Priority Date**

**Disclaimer Statement**

**Description of Mark**

**Type of Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Live Dead Indicator**

LIVE

**Attorney of Record**

Lawrence E. Laubscher, Jr.

**Print: Fri Mar 03 2023**

**86181266**

**(4) STANDARD CHARACTER MARK**

AAA DISCOUNTS & REWARDS

**Mark Punctuated**

AAA DISCOUNTS & REWARDS

**Translation**

**Goods/Services**

- IC 035. US 100 101 102.G & S: Administration of a discount program for enabling participants to obtain discounts on goods and services through use of a discount membership card; Promoting the goods and services of others by means of an incentive reward program. FIRST USE: 20140700. FIRST USE IN COMMERCE: 20140700

**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Design Code**

**Serial Number**

86181266

**Filing Date**

20140131

**Current Filing Basis**

1A

**Original Filing Basis**

1B

**Publication for Opposition Date**

20140701

**Registration Number**

4646626

**Date Registered**

20141125

**Owner**

(REGISTRANT) American Automobile Association, Inc. CORPORATION CONNECTICUT 1000 AAA Drive Heathrow FLORIDA 32746

**Priority Date**

**Disclaimer Statement**

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DISCOUNTS & REWARDS" APART FROM THE MARK AS SHOWN

**Description of Mark**

**Type of Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Live Dead Indicator**

LIVE

**Attorney of Record**

Lawrence E. Laubscher, Jr,

Print: Fri Mar 03 2023

86256317

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS



**Mark Punctuated**

AAA DISCOUNTS REWARDS

**Translation**

**Goods/Services**

- IC 035. US 100 101 102.G & S: Administering discount group purchasing programs, namely, negotiating contracts with providers of automotive services, hotel accommodations, tourist attractions, restaurant services, and retail services to enable participant members of an automobile association to obtain discount purchases; providing incentive awards programs for members of an automobile association through issuance and processing of loyalty points for purchase of goods and services. FIRST USE: 20140700. FIRST USE IN COMMERCE: 20140700

**Mark Drawing Code**

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Code**

241504 241510 260303 260313

**Serial Number**

86256317

**Filing Date**

20140418

**Current Filing Basis**

1A

**Original Filing Basis**

1B

**Publication for Opposition Date**

20140701

**Registration Number**

4646738

**Date Registered**

20141125

**Owner**

(REGISTRANT) American Automobile Association, Inc. CORPORATION CONNECTICUT 10000 AAA Drive Heathrow FLORIDA 327465063

**Priority Date**

**Disclaimer Statement**

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DISCOUNTS REWARDS" APART FROM THE MARK AS SHOWN

**Description of Mark**



Color is not claimed as a feature of the mark. The mark consists of "AAA" in an orbit design consisting of an oval around "AAA" surrounded by another partial oval at an angle and to the left of the stacked words "DISCOUNTS REWARDS". Three right pointing arrows precede the word "REWARDS".

**Type of Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Live Dead Indicator**

LIVE

**Attorney of Record**

Lawrence E. Laubscher, Jr.

Print: Fri Mar 03 2023

86894143

**(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS****Mark Punctuated**

AAA

**Translation****Goods/Services**

- IC 016. US 002 005 022 023 029 037 038 050.G & S: Magazines, pamphlets, booklets, and directories in the fields of travel information, traffic safety, vehicle information and repair, and driver instruction; maps, groups of strip maps and other maps, and printed booklets and pamphlets featuring touring and route information. FIRST USE: 19970301. FIRST USE IN COMMERCE: 19970301
- IC 035. US 100 101 102.G & S: Administration of a discount program for enabling participants to obtain discounts on goods and services through use of a discount membership card; Promoting public awareness of the need for traffic and pedestrian safety by means of sponsoring school safety patrols and conducting traffic and pedestrian safety campaigns; promoting the interests of automobile travelers by advocating legislation favorable to safe and economical motor vehicle travel, operation, and maintenance; automobile club services, namely, price comparison rating of the tourist accommodations of others. FIRST USE: 19970301. FIRST USE IN COMMERCE: 19970301
- IC 036. US 100 101 102.G & S: Adjusting and collecting insurance damage claims; insurance brokerage services, namely, obtaining insurance, placing insurance with underwriters; financial services, namely, issuing, paying, and collecting traveler's checks; banking services, namely, time deposits; investment advice counseling services; credit card payment processing and auto loan brokerage services; reimbursement payment processing in the field of legal services. FIRST USE: 19970301. FIRST USE IN COMMERCE: 19970301
- IC 037. US 100 103 106.G & S: Emergency road side repair services. FIRST USE: 19970301. FIRST USE IN COMMERCE: 19970301
- IC 039. US 100 105.G & S: Travel agency services, namely, making reservations and booking for transportation; Providing a web site and web site links to geographic information, map images, and trip routing. FIRST USE: 19970301. FIRST USE IN COMMERCE: 19970301
- IC 041. US 100 101 107.G & S: Providing on-line magazines in the field of travel; publication of electronic magazines. FIRST USE: 19970301. FIRST USE IN COMMERCE: 19970301
- IC 042. US 100 101.G & S: Consumer product safety testing and consultation, namely, conducting motor vehicle tests and endurance tests, and making tests of automotive and related products. FIRST USE: 19970301. FIRST USE IN COMMERCE: 19970301
- IC 043. US 100 101.G & S: Travel agency services, namely, making reservations and booking for temporary lodging. FIRST USE: 19970301. FIRST USE IN COMMERCE: 19970301

**Mark Drawing Code**

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Code**

010707 260302 261709

**Serial Number**

86894143

**Filing Date**

20160202

**Current Filing Basis**

1A

**Original Filing Basis**

1A

**Publication for Opposition Date**

20160621

**Registration Number**

5036379

**Date Registered**

20160906

**Owner**

(REGISTRANT) American Automobile Association, Inc. CORPORATION CONNECTICUT 1000 AAA Drive  
Heathrow FLORIDA 32746

**Priority Date**

**Disclaimer Statement**

**Description of Mark**

The color(s) red and blue is/are claimed as a feature of the mark. The mark consists of the letters "AAA" appear in red with a stylized blue orbit design appearing behind the letters.

**Type of Mark**

TRADEMARK. SERVICE MARK

**Register**

PRINCIPAL

**Live Dead Indicator**

LIVE

**Attorney of Record**

Lawrence E. Laubscher, Jr.

**Print: Thu Apr 06 2023**

**88183122**

**(4) STANDARD CHARACTER MARK**

EXPLORE YOUR AAA

**Mark Punctuated**

EXPLORE YOUR AAA

**Translation**

**Goods/Services**

- IC 016. US 002 005 022 023 029 037 038 050.G & S: Printed publications, namely pamphlets, brochures, newsletters, journals and magazines in the fields of automotive, safety and advocacy, travel, insurance, membership benefits and discounts, and financial services. FIRST USE: 20190115. FIRST USE IN COMMERCE: 20190115

**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Design Code**

**Serial Number**

88183122

**Filing Date**

20181106

**Current Filing Basis**

1A

**Original Filing Basis**

1B

**Publication for Opposition Date**

20190604

**Registration Number**

5838139

**Date Registered**

20190820

**Owner**

(REGISTRANT) AMERICAN AUTOMOBILE ASSOCIATION, INC. CORPORATION DELAWARE 1000 AAA DRIVE HEATHROW FLORIDA 32746

**Priority Date**

**Disclaimer Statement**

**Description of Mark**

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Live Dead Indicator**

LIVE

**Attorney of Record**

Lawrence E. Laubscher, Jr.

## United States Patent and Trademark Office (USPTO)

### USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued  
on April 6, 2023 for  
**U.S. Trademark Application Serial No. 97379480**

A USPTO examining attorney has reviewed your trademark application and issued an Office action. You must respond to this Office action to avoid your application abandoning. Follow the steps below.

- (1) **[Read the Office action](#)**. This email is NOT the Office action.
- (2) **Respond to the Office action by the deadline** using the Trademark Electronic Application System (TEAS). Your response, or extension request, must be received by the USPTO on or before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Otherwise, your application will be [abandoned](#). See the Office action itself regarding how to respond.
- (3) **Direct general questions** about using USPTO electronic forms, the USPTO [website](#), the application process, the status of your application, and whether there are outstanding deadlines to the [Trademark Assistance Center \(TAC\)](#).

After reading the Office action, address any question(s) regarding the specific content to the USPTO examining attorney identified in the Office action.

### GENERAL GUIDANCE

- **[Check the status](#) of your application periodically** in the [Trademark Status & Document Retrieval \(TSDR\)](#) database to avoid missing critical deadlines.
- **[Update your correspondence email address](#)** to ensure you receive important USPTO notices about your application.
- **[Beware of trademark-related scams](#)**. Protect yourself from people and companies that may try to take financial advantage of you. Private companies may call you and pretend to be the USPTO or may send you communications that resemble official USPTO documents to trick you. We will never request your credit card number or social security number over the phone. Verify the correspondence originated from us by using your serial number in our database, [TSDR](#), to confirm that it appears under the “Documents” tab, or contact the [Trademark Assistance Center](#).
- **[Hiring a U.S.-licensed attorney](#)**. If you do not have an attorney and are not required to

have one under the trademark rules, we encourage you to hire a U.S.-licensed attorney specializing in trademark law to help guide you through the registration process. The USPTO examining attorney is not your attorney and cannot give you legal advice, but rather works for and represents the USPTO in trademark matters.